

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**DR. WESLEY McFARLAND, and the Estate of
ROSEMARY McFARLAND, Deceased by
Dr. Wesley McFarland**

PLAINTIFFS

VS.

CIVIL ACTION NO:1:06-cv-932-LTS-RHW

**STATE FARM FIRE & CASUALTY COMPANY
AND JOHN DOES 1 THROUGH 10**

DEFENDANTS

**AFFIDAVIT OF
DECLARANTS CORI RIGSBY AND KERRI RIGSBY**

STATE OF MISSISSIPPI
COUNTY OF JACKSON

Personally appeared before me, the undersigned notary public in and for the
aforesaid state and county, Cori Rigsby and Kerri Rigsby, who, having been duly sworn,
attest as follows:

1. Declarants are sisters who for the past eight (8) years, until their constructive
discharge in June 2006, worked for E.A. Renfro, an adjustment company that leases
adjusters to various insurance companies around the country. It specializes in providing
adjusters to handle catastrophes by having personnel trained on State Farm and others
insurers' equipment, policies, and procedures, and being able to provide them quickly
when a catastrophe occurs.

2. Cori Rigsby's job involved working with both State Farm and Nationwide.

Over the past eight years Cori Rigsby has adjusted hurricane claims, tornadoes, and other various natural disasters.

3. Kerri Rigsby's position required her to adjust claims for State Farm, and State Farm has been the only company that Kerri has worked for. Her position, in all material respects, is just like Cori.

4. From the time of Hurricane Katrina until June 2006, Declarants adjusted and mediated claims for State Farm. They worked out of the State Farm catastrophe offices on the Mississippi Gulf Coast and worked under, along side, and in close proximity to the State Farm personnel who made all claims adjustment decisions with respect to the McFarlands and every other State Farm insured on the Mississippi Gulf Coast who sustained damage from Hurricane Katrina. Declarants have personal knowledge of the State Farm Catastrophe organizations hierarchy and decision making responsibilities, include those of Dave Randel, Lecky King, Mark Drain, Lisa Wachter, and Chris Canterbury. This organizational and decision making structure with respect to the McFarland's claim and those of all other State Farm insureds is set forth as follows:

5. **Dave Randel (Section Manager):** Dave Randel was section manager for State Farm CAT teams on the Mississippi Gulf Coast. He is one of only 12-15 section managers at State Farm. He was Alexis King, Richard Moore and John Dagenhart's boss and direct supervisor. Dave Randel was the principal supervisor over all adjustments of Katrina Claims on the Mississippi Gulf Coast, including those of the McFarlands. Randel oversaw all aspects of the adjustment of State Farm claims that were adjusted out of State Farm Catastrophe office including the McFarlands' claim. Randel was the State Farm

official primarily responsible for making the initial decision to dispatch structural engineers to determine the cause of loss for all "slab" cases, which included that of the McFarlands. Randel, along with Lecky King, were the State Farm officials primarily responsible for making the subsequent decision to cancel engineering inspections and reports for all such slab cases, including that of the McFarlands. Randel, along with Lecky King, were also the State Farm officials primarily responsible for implementing and enforcing State Farm's procedures for adjusting "wind vs. water" claims and "slab" claims. Randel oversaw and supervised the Declarants and adjuster Chris Canterbury in the adjustment of the McFarland's claim. Similarly, Declarants and adjuster Chris Canterbury reported to Randel in the adjustment of all claims, including the McFarlands.

6. Alexis "Lecky" King (Co-CAT Team Coordinator): Lecky King worked both under and along side Dave Randel. King was the one at the State Farm CAT office who was primarily responsible for implementing Dave Randel and State Farm's engineering inspection and adjustment policies with regard to "wind vs. water" and "slab" claims, including the McFarlands' claims. Lecky King is the State Farm Flood Insurance "guru" who directed that adjusting be done to conform to the decision made by Randel and State Farm that wind damaged claims like the McFarlands would be denied under the "water damage" and the "anti-concurrent cause clause" exclusions. King holds considerable knowledge with regard to information about State Farm's conduct in regard to the handling and adjustment of "wind vs. water" and "slab" claims. Lecky King, through her assistants Lisa Wachter and David Haddock supervised the retention and handling of structural engineering firms retained by State Farm to determine the cause of loss on all slab claims. King and her assistant Wachter were also involved in the altering

and or changing of engineering reports on slab claims that were not consistent with her and State Farm's predetermined decision that water caused all of the damage. King oversaw and supervised the Declarants and adjuster Chris Canterbury in the adjustment of the McFarlands' claim. Similarly, Declarants and adjuster Chris Canterbury reported to King in the adjustment of all claims, including the McFarlands.

7. Lisa Wachter (Trainer): Lisa Wachter was Lecky King's primary assistant and assisted King in overseeing the adjustment of "wind vs water" and "slab" claims. She assisted King in the cancelling of engineering inspections and reports for slab claims like the McFarlands. Wachter also assisted King in the altering or changing of engineer reports which concluded that the damaged was caused by wind instead of water.

8. Mark Drain (Team Manager): Mark Drain was assigned to the "high profile" claims where State Farm wanted to preserve relationships or prevent fallout. He was the primary State Farm official involved in the adjustment of both Senator Trent Lott and Congressman Gene Taylor's claims. Drain was also involved in the adjustment of the McFarlands' claim as evidenced by his entry in the McFarlands' claim log.

9. Chris Canterbury (Adjuster on the McFarland Claim): Chris Canterbury was the initial adjuster on the McFarland Claim. He was E.A. Renfroe's adjuster who reported to the Declarants, King and Randel. Declarants were Canterbury's supervisors at E.A. Renfroe on the adjustment of the McFarland's claims.

10. Declarants believe that the depositions of Randel, King, Wachter and Drain are relevant to every claim of a State Farm insured whose claim for Hurricane Katrina damage was denied. Declarants are also of the belief that no meaningful bad faith

discovery can take place in any Hurricane Katrina Damage Lawsuit brought by a State
Farm insured without the depositions of these individuals.

FURTHER AFFIANTS SAYETH NOT.

Cori Rigby
CORI RIGSBY
Kerri Rigby
KERRI RIGSBY

SWORN TO AND SUBSCRIBED BEFORE ME, on this 27th day of September,
2006.

Cecil Ann Grimes
NOTARY PUBLIC

MY COMMISSION EXPIRES:

9-9-08

